

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

MARY BEAVERS,)	
Personal Representative of the)	
Estate of Anthony D. Beavers, Deceased,)	
)	
and)	
)	
MARY BEAVERS, Personally,)	Cause No. 4:03CV00768TIA
)	
Plaintiffs,)	
)	
v.)	
)	
CITY OF HAWK POINT, a Municipality,)	
)	
and)	
)	
LINCOLN COUNTY SHERIFF'S)	
DEPARTMENT, a quasi Governmental entity,)	
)	
and)	
)	
KIM POLINDER, an individual,)	
)	
and)	
)	
ROBERT E. HOEHN, an individual,)	
)	
and)	
)	
CESAR L. RIVERA, an individual,)	
)	
and)	
)	
JOHN C. BOYLE, an individual,)	
)	
Defendants.)	

ORDER APPROVING SETTLEMENT

This matter is before the undersigned pursuant to 28 U.S.C. § 636(c) for trial. The parties

indicated that they reached a settlement in this matter, and the Plaintiff filed a Proposed Order Approving Settlement. Further, the parties requested a hearing prior to the court's order approving the settlement, and the hearing was held on June 19, 2006. Based upon that hearing, the undersigned finds that the parties have reached a settlement in this matter, waiving trial by jury, and

Accordingly, pursuant to the provisions of Mo. Rev. Stat. §537.095, the undersigned enters this order approving the settlement as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the cause of action and claim for injuries, damages and loss, and for the wrongful death of Anthony Beavers, deceased, be settled for the total consideration of **\$60,000.00**.

IT IS FURTHER ORDERED that the Plaintiff shall collect said settlement; receipt therefore; execute appropriate releases; pay all costs and expenses of recovery and collection in the amount of **\$13,132.00**; pay to counsel for the Plaintiffs the sum of **\$20,000.00** which this Court finds to be the reasonable attorney's fees; and, having done so, file Plaintiff's report with this Court.

IT IS FURTHER ORDERED that upon evidence adduced at the hearing, the Court finds that the following persons should share in said proceeds in the following amounts to-wit: to Mary Beavers, the mother of the decedent, in the amount of **90% of the net proceeds**; and to Edward Beavers, the father of decedent, in the amount of **10% of the net proceeds**, as they are the sole persons entitled to sue or join in this action for the death of Anthony Beavers, deceased.

IT IS FURTHER ORDERED that on receipt of settlement and report of the Plaintiffs, the Defendants shall be forever discharged and free from any and all liability of whatever kind or

nature for the injuries and death of Anthony Beavers, deceased.

IT IS FINALLY ORDERED that the settlement check shall be made payable to Bruntrager & Billings, PC, as receivers of said settlement, who will then disburse the ordered amounts to the appropriate parties.

SO ORDERED:

/s/ Terry I. Adelman
UNITED STATES MAGISTRATE JUDGE

Dated this 20th day of June, 2006